



City of Loma Linda Official Report

Mayor
Floyd Petersen, Mayor pro tempore
Robert Christman, Councilmember
Stan Brauer, Councilmember
Robert Ziprick, Councilmember

COUNCIL AGENDA: May 10, 2005
TO: City Council
VIA: Dennis R. Halloway, City Manager
FROM: Pamela Byrnes-O'Camb, City Clerk
SUBJECT: Minutes of March 8, 22, and 29, 2005

RECOMMENDATION

It is recommended that the City Council approve the Minutes of March 8, 22, and 29, 2005.

City of Loma Linda

City Council Minutes

Regular Meeting of March 8, 2005

A regular meeting of the City Council was called to order by Mayor Hansberger at 7:10 p.m., Tuesday, March 8, 2005 in the Council Chamber, 25541 Barton Road, Loma Linda, California.

Councilmen Present:	Mayor Karen Gaio Hansberger Robert Christman Stan Brauer Robert Ziprick
Councilman Absent:	Mayor pro tempore Petersen
Others Present:	City Manager Dennis Halloway City Attorney Richard E. Holdaway

Mayor Hansberger led the invocation and Pledge of Allegiance. No items were added or deleted; no conflicts of interest were noted.

Oral Reports/Public Participation

Jonathan Zirkle, 24247 Barton Road, requested that all Planning Commission meetings be televised and that the Loma Linda Conservation Society be allowed to make a presentation at the April 12 City Council meeting relating to the Conservation and Open Space Element of the General Plan. He also asked that the General Plan Update be considered early in the meeting.

Scheduled and Related Items

CC-2005-027 – Public Hearing – Council Bill #R-2005-12 – Ordering Annexation 67 to Landscape Maintenance District No. 1 – Tract 15422 on the south side of First Street, east of Whittier Avenue

The public hearing was opened. The City Clerk opened the envelopes received from the owner of the subject property, noting that Richmond American Homes, sole owner of the subject property, petitioned the City Council to initiate proceedings regarding Annexation 67 to Landscape Maintenance District No. 1, and also signed the Assessment Ballot approving the proposed assessment for fiscal year 2005/2006 of \$1,188 per parcel for a total assessment of \$60,588; that the assessment be adjusted annually beginning with fiscal year 2005/2006 by the cost of living, using the CPI for all Urban Consumers for the Los Angeles, Orange, Riverside County areas. No other public testimony was offered and the public hearing was closed.

Motion by Christman, seconded by Ziprick and carried to adopt Council Bill #R-2005-12. Petersen absent.

Resolution No. 2376

A Resolution of the City Council of the City of Loma Linda ordering the levy and collection of assessments for fiscal year 2005/2006 within Landscape Maintenance District No. 1, Annexation No. 67, Tract No. 15422, and confirming the Engineer's Report pursuant to the Landscape and Lighting Act of 1972

CC-2005-028 – Public Hearing – Ordering the formation of the Underground Utility District (TO BE CONTINUED TO APRIL 12)

The public hearing was opened and those who could not attend the April 12 meeting were asked to offer testimony at this time. No comments were offered.

Motion by Christman, seconded by Ziprick and carried to continue the public hearing to April 12. Petersen absent.

CC-2005-029

- a. **Trails Development Committee – Consideration of adoption of recommendations regarding potential trails, trailheads, and open space in the South Hills**(Continued from February 22 and to be continued to April 12) This is not a public hearing but is related to Item 4 below
- b. **Workshop/Public Hearing – General Plan Update Project – Conservation and Open Space Element (9.0)** (Continued from February 22 and to be continued to April 12)

The public hearing was opened relating to the Conservation and Open Space Element of the General Plan. Director of Community Development Woldruff stated that the Trails Development Committee recommendations and the Conservation and Open Space Element as well as the Land Use Element, which also related to the hillside area, were intricately connected; therefore, the items were placed on the same agenda. She then recommended that both items be continued. No other comments were offered.

Motion by Ziprick, seconded by Christman and carried to continue the above items to April 12. Petersen absent.

CC-2005-030 – Workshop/Public Hearing – General Plan Update Project – Community Design Element (3.0) and General Plan Implementation Programs (11.0)

The public hearing was opened. Director of Community Development Woldruff stated that the General Plan schedule, out of necessity, had been revised. Those elements of the General Plan that had already been considered were identified. The Community Design Element and General Plan Implementation Programs were to be considered at this time. Mrs. Woldruff noted that the Planning Commission would review the Land Use Element as it related to the Hillside Designation on April 6. She reviewed the updated schedule, stating that the Land Use Element was proposed to be considered by the City Council on April 12, along with the Conservation and Open Space Element; May 10, Transportation and Circulation Element and CMP Traffic Impact Analysis; May 24, the Draft Final Program and Environmental Impact Report with response to comments and then certification of the Final EIR, adoption of the General Plan and approval of the TIA to follow.

She then suggested that a meeting be scheduled to consider the topics that could not be concluded on April 12.

She then introduced General Plan Consultant Lloyd Zola of LSA Associates. Mr. Zola stated that the Community Design Element dealt with the look and character of development, which was distinguished from the Land Use Element in that the uses themselves, distribution of uses, or permitted uses were not considered. Rather, what permitted uses would look like would be considered.

The Community Design Element considered appropriate design of new development, such as pedestrian oriented development, auto oriented development, mixed use; design of individual neighborhoods, community entries, landscaping, and streetscapes; adaptive reuse, protection of historic features.

Councilman Brauer suggested that specific design features, such as landscaping elements, preservation of and planting of citrus to continue the heritage and historical elements be included in the General Plan. He also stated that attractive communities in California made street trees a priority. Mr. Zola responded that retention of citrus could be incorporated as part of the street scene with additional emphasis on street trees.

Councilman Ziprick asked about having a community arborist so that appropriate trees were utilized for street trees and that appropriate tree maintenance was also addressed. Mayor Hansberger also suggested that development be designed to preserve historic trees, such as the old Oaks on Redlands Boulevard.

Jonathan Zirkle, 24247 Barton Road, expressed concern about vertical mixed uses of three stories with commercial uses on the ground floor and residential uses on the upper stories, which in his opinion were not appropriate, as it promoted noisy neighborhoods rather than quiet residential areas.

Glenn Elssmann, 25815 Business Center Drive, supported the planting of street trees, and suggested that maintenance guidelines be utilized so that as the trees gained size and created a canopy effect, the trees were not pruned to such extent that either the trees were destroyed or the effect of the trees was diminished.

No other public testimony was offered and the public hearing was closed. Mayor Hansberger and Councilman Brauer commented that trees provided character for neighborhoods; some neighborhoods were lacking trees and some needed replacement.

The General Plan Implementation Program public hearing was opened. Mr. Zola stated that the Implementation of the General Plan involved a series of programs following the adoption of the General Plan, including updating the Zoning Code so that it was consistent with the General Plan; providing definitive standards to support policies contained in the General Plan; as well as actions and studies to be undertaken as part of implementation of the General Plan, such as the Trails Master Plan for the South Hills, development review process, historic preservation, open space acquisition priorities, business promotion, parks and recreation, hillside development, noise standards, community design manual, maintenance of adequate services and facilities, monitoring of new technologies, and disaster preparedness.

A second part of the Implementation Program concerned intergovernmental coordination, such as synchronizing land use activities with neighboring jurisdictions, transportation planning, working with school districts serving the community, library planning, collaboration with medical and social service agencies, and involving the community in the development review process.

A third part, the Strategic Planning Program, dealt with ongoing activities, such as the annual review of the General Plan and Capital Improvement Program in order to maintain an up to date General Plan. He added that school districts and other special districts operating within the City should provide the City with their capital improvement plans so determination could be made relating to consistency with the General Plan. General Plan Amendments and updating the General Plan on an ongoing basis were also part of the Implementation Program.

Jonathan Zirkle, 24247 Barton Road, expressed concern about open space, hillside development, lack of a parks master plan in the General Plan, as well as the lack of open space in the proposed University Village and Orchard Park developments, growth considered in the General Plan, inadequate infrastructure, lack of coordination with neighboring communities, a General Plan produced by Staff that was generally accepted by the City Council, but which did not reflect public opinion; promotion of a few businesses that were not local.

Mayor Hansberger, Councilmen Christman and Ziprick took exception to Mr. Zirkle's comments. An extensive exchange of comments between Council Members and Mr. Zirkle occurred.

Kathy Glendrange, 26551 Beaumont Avenue, stated that Staff recommended approval of the revised schedule relating to the General Plan and asked that the schedule be revised so that each of the most controversial elements of the General Plan (Land Use, Hillside, and Open Space) be discussed individually at different meetings; that the Environmental Impact Report also be considered at more than one meeting because of the significant impacts and proposed mitigation measures.

Glenn Elssmann, 25815 Business Center Drive, stated that although the development community was involved in the General Plan process; charges were made that the developers sought the maximum density on every project proposed; projects in progress demonstrated that the number of homes requested and the types of communities developed were different from mobile home parks and maximum densities. In addition, developers clearly shared concerns about the land use component for the hills, supported preservation of open space, and were anxious to participate in the General Plan process. He noted that the General Plan was a document for long-term use and must anticipate various uses, growth projections, and build outs, and that from 1997-2005, the number of homes permitted in Loma Linda did not exceed the SCAG projections; and, even though Loma Linda had an abundance of jobs, few employed in the City lived in the City; thus creating an imbalance.

No other public comments were offered and the public hearing was closed. Mayor Hansberger clarified that the City Council made open space and park facilities a priority.

Mr. Zola summarized direction to Staff as follows:

- 1) Relating to the Community Design Element, discussion relating to the retention of citrus as essentially a community heritage would be added and a program similar to that of the City of Riverside would be considered.
- 2) In the landscaping section, a street tree program would be included, including establishment of street tree themes within parkways as well as a maintenance program that would follow the establishment of the themes.

- 3) Vertical mixed use was to be clarified regarding appropriateness and land use areas.
- 4) In the Implementation Element, the SCE Easement was not to be counted as part of the requirement of the development, so that the Edison Easement Park would be in addition to open space/park requirements of a development.
- 5) Coordination with school districts involved the City coordinating with the school district, but it was the school district that had the ultimate responsibility of defining the specific locations for their schools, as they were legally responsible for identifying specific sites.
- 6) The General Plan would not designate specific sites in the Land Use Element as the only use of the property purchased by the school district.
- 7) The General Plan would establish a development right and require a certain amount of park dedication, based upon population. The General Plan Policy could then be applied to a Parks Master Plan without removing any development right.

Community Development Director Woldruff clarified that in terms of the Parks Master Plan, the General Plan included 40 acres of guaranteed open space, which were existing parks. Privately owned land was not included in the Open Space Designation, nor was privately owned land designated for parks or school sites. The City's South Hills property was not included in the calculation because that direction was not given. Policies promoted additional conservation and open space. More areas were anticipated to be acquired.

Councilman Christman stated that business was a critical component of the General Plan. Business has been retained and new businesses have located in the City. He also stated that the City purchased 780 acres from the Resolution Trust Company and then later purchased another 60 acres with the intent to protect and maintain open space. He also stated that Leonard Bailey Park was established and coordinated with the Redlands Unified School District to serve the school as well as the community and to preserve the orange trees. Ballparks were established as part of the Parkside Housing Development.

Councilman Brauer commented that the Redevelopment Agency owned 80 acres between Redlands Boulevard and Mission Road and several attempts to develop it as a commercial site failed; however, a current proposal does provide a commercial element. Economics and development was cyclical.

Councilman Ziprick commented that the Initiative did not settle all of the issues related to the South Hills. The City's land did not include all of the trails; numerous trails were located throughout the South Hills area, many of which were located on privately owned land. The Trails Development Committee and City Council were working to resolve the issues, including working with property owners to establish permanent open space.

Mayor Hansberger expressed doubt as to the success of mixed use with commercial uses on the ground floor and residential uses on top, noting that, that type of development proved successful in metropolitan areas such as San Diego and Los Angeles.

Director of Community Development Woldruff suggested that Hillside Designation, the Conservation and Open Space and the Trails Development Committee proposal be considered together and then the rest of the Land Use Element be considered separately.

Motion by Ziprick, seconded by Christman and carried to approve the Community Design Element and General Plan Implementation Programs in concept. Petersen absent.

Cc-2005-031 – Consent Calendar

Motion by Christman, seconded by Brauer and carried to approve the following items:

The Demands Register dated February 29, 2005 with commercial demands totaling \$75,642.41 and payroll demands totaling \$183,207.01.

The Demands Register dated March 8, 2005 with commercial demands totaling \$661,948.98.

The Minutes of February 1, 8 and 22, 2005 as presented.

Council Bill #R-2005-13.

Resolution No. 2377

A Resolution of the City Council of the City of Loma Linda, California, supporting the Healthy Cities Project and indicating its intent to participate in the project

Award of contract to Portsmouth Construction Inc., Chino for \$298,760.70 for installation of sidewalk and access ramps at various locations in the North Central Neighborhood and to Cal West Consultants in an amount not to exceed \$21,425 for construction inspection and materials testing.

Award of contract to John Griffin Construction, Inc., Corona, for \$524,640.96 for installation of Loma Linda Connected Community Fiber Optic Backbone Quadrant 1, Phase 2.

Accepted as complete and authorized recordation of a Notice of Completion for Quadrant I, Phase 1 of the Loma Linda Connected Community City Wide Fiber Optic Backbone, John Griffin Construction, Inc., contractor.

Budget transfer of \$70,000 from Special Projects to Loma Linda Connected Community Program for installation of underground conduit on Ohio Street and Mission Road.

Reports of Councilmen

Mayor Hansberger commented on the vandalism at the Southern California Edison Easement Trail Park and the removal of plaques that acknowledged donations of trees and park equipment.

Councilman Christman stated that he would be representing Inland Action on a trip to Washington D. C. regarding the San Bernardino International Airport expansion. He would also be meeting with Congressman Lewis relating to the Anderson/Tippecanoe interchange and the expansion of the Mountain View Overcrossing.

The meeting adjourned at 8:45 p.m.

Approved at the meeting of

City Clerk

City of Loma Linda

City Council Minutes

Regular Meeting of March 22, 2005

A regular meeting of the City Council was called to order by Mayor Hansberger at 5:30 p.m., Tuesday, March 22, 2005 in the Council Chamber, 25541 Barton Road, Loma Linda, California.

Councilmen Present:	Mayor Karen Gaio Hansberger Mayor pro tempore Floyd Petersen Robert Christman Stan Brauer Robert Ziprick
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Councilman Absent:	None
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Others Present:	City Manager Dennis Halloway City Attorney Richard E. Holdaway
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CC-2005-032 – Closed Session – Public Employee Evaluation (Government Code Section 5497)

- a. City Manager
- b. City Attorney

The City Council immediately recessed to consider the closed session item as listed and reconvened at 7:01 p.m. with all members present. The City Attorney announced that the City Council conducted evaluations of the City Manager and himself and there was no action to report.

Councilman Christman led the invocation and Pledge of Allegiance. No items were added or deleted, nor were any conflicts of interest noted.

Oral Reports/Public Participation

Kathy Glendrange 26551 Beaumont Avenue, stated the minutes of February 1 were inaccurate, in that in her opinion, the record did not reflect all the testimony provided relating to development in the South Hills; that the Minutes reflected approximately the same number of comments in favor as there were opposed to development in the hills; however, the majority of citizens presented comments against development in the hills. Not all of the comments on the speaker slips were read into the record. Those who spoke in favor were developers, developers' children or consultants. She also requested that the Minutes be revised. The City Clerk responded that an amendment to the Minutes was included on the agenda, which provided the names of all who submitted speaker slips, whether or not they spoke at the February 1 meeting. She also stated that the Minutes reflected a summary of comments with no comments attributed to particular individuals and that the Minutes were drafted utilizing the audio tape of the meeting, due to the complexity of the content of the meeting.

Fred Ramos, 26445 First Street, Bryn Mawr, stated that he distributed food at the Romanian Church on the third Wednesday of each month.

Rebecca Ludwig, 11171 Oakwood Drive, spoke about a survey she recently received relating to eminent domain.

Cole Smith of Bryn Mawr spoke about flooding in the area of First Street and Whittier Avenue. Director of Public Works Thaipr stated that a storm drain would be installed at that location by the developer of the housing project that would include a catch basin and direction of flow to the flood channel. During the recent storms, the area was pumped. The superintendent for the project was called to be sure pumping would occur tonight because of the current rains.

Scheduled and Related Items

CC-2005-033 – Proclamations

- a. Record-A-Thon Week – April 18-23
- b. 2005 National Community Development Week – March 28-April 3
- c. Child Abuse Prevention Month – April 2005

Mayor Hansberger stated that the Record-A-Thon Week proclamation related to volunteers recording textbooks as well as other materials for the blind and dyslexic, and indicated the proclamation would be forwarded to representatives of the organization.

The National Community Development Week Proclamation related to Community Development Block Grant Funds (CDBG), which she presented to Director of Public Works Thaipejr to transmit to the County for display.

Mayor Hansberger then called Sue Taylor of the San Bernardino County Children's Network forward and presented the Proclamation. Ms. Taylor commented briefly, stating that Children's Network served as the Child Abuse Prevention Council for the entire County of San Bernardino, thus the April campaign focused on positive parenting to prevent child abuse. She distributed materials and invited the public to the annual "Shine a Light on Child Abuse Prevention" breakfast on March 30 at the Ontario Doubletree Hotel at 7:30 a.m. to recognize individuals who served children in the communities of San Bernardino County. A parenting conference was also scheduled for March 31 in Temecula.

CC-2005-034

CRA-2005-015 – Joint Meeting of the City Council and Redevelopment Agency to receive response to written and oral comments relating to an Amendment to the Redevelopment Plan to expand the Agency's eminent domain authority to residential uses (TO BE CONTINUED TO MAY 24)

The Agency Board was called to order at 7:25 p.m. with all members present. Mayor Hansberger chaired the item, stating that the item would be continued to May 24 and if anyone could not attend on May 24, comments could be offered at this time.

Rebecca Ludwig, 11171 Oakwood Drive, referred to a Supreme Court Hearing regarding eminent domain regarding Susette Kelo of New London, Conn.

Joe DeVito, Bryn Mawr, asked for clarification as to the time of the open meeting, and also offered property in Bryn Mawr to the City with the suggestion that a veterans' home be built on the site.

Motion by Ziprick, seconded by Petersen and unanimously carried to continue the item to May 24.

The Agency Board recessed to allow completion of the City Council Agenda.

CC-2005-035 - Consent Calendar

Councilman Ziprick asked whether additional amendments to the Minutes of February 1 could be considered if it was determined that comments were omitted. The City Clerk responded that comments included in the Minutes were taken from the audiotape of the meeting; if it was determined that additional comments should have been included, another amendment would be appropriate. He asked Kathy Glendrange, who spoke during the public comment portion of the agenda, to provide comments regarding areas of omission for the next meeting.

Motion by Petersen, Seconded by Christman and unanimously carried to approve the following items:

The Demands Register dated March 22, 2005 with commercial demands totaling \$216,185.73 and payroll demands totaling \$184,274.52.

The February Treasurer's Report for filing.

Amendment to the Minutes of February 1, 2005.

February Department of Public Safety Stats Report for filing.

Request from the City of San Clemente for membership in the California Joint Powers Insurance Authority.

Agreement between the City and Southern California Edison Company to hang banners on SCE poles.

Council Bill #R-2005-14 regarding an area south of the San Timoteo Creek, east of Mt. View Avenue and an area in the South Hills, south of Beaumont Avenue, east of Whittier Avenue.

Resolution No. 2378

A Resolution of the City Council of the City of Loma Linda objecting to the sale of certain tax deeded property within the City of Loma Linda (APN 0292-121-72 and 0294-031-36 – CHAPTER 8, SALE NO. 355)

Scheduled the Annual Volunteer Appreciation Event for Thursday, April 28, 2005 at 6:00 p.m. in the Senior Center.

Council Bill #R-2005-15.

Resolution No. 2379

A Resolution of the City Council of the City of Loma Linda, adopting and supporting the Citizen Corps

Reports of Councilmen

Councilman Christman reported that several years ago, the Cities of Loma Linda, Colton, San Bernardino, Highland and the County of San Bernardino, made loans to the San Bernardino International Airport Authority for operations. The City of Redlands discontinued its membership in the SBIAA at that time. He announced that a check in the amount of \$422,963.56 was delivered to Loma Linda in complete repayment of the loan from the City. Interest of 2 percent above the local agency rate in the amount of \$187,812.30 for the entire loan period was included in the payment.

He also stated that he was in Washington D.C. representing Inland Action and did speak to the Federal Aviation Administration about the runway. All of the funding was available to complete the 10,000-foot runway. The airport would be a cargo airport by September 2005 when the runway was completely resurfaced and the project was completed. Some of the major air cargo carriers expressed need for 11,500 feet of runway to do nonstop flights between the U. S. and Asia or Europe. Extension of the runway was being considered.

Mayor Hansberger noted that re-use of the former Norton Air Force Base was an effort involving several cities and entities for the economic health of the Inland Empire.

Mayor pro tempore Petersen also commented and commended Councilman Christman for his involvement as a representative of Loma Linda on the SBIAA Board.

Reports of Officers

City Manager Halloway reminded City Council Members that the Cities County Conference was scheduled to begin Thursday, March 26.

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Mayor pro tempore Petersen stated that filling the vacancy created by Mayor Hansberger's resignation effective April 12 needed to be discussed, and suggested the meeting be adjourned to March 29 in light of the time constraint.

City Attorney Holdaway stated that the Government Code provided two options to fill a vacancy on the City Council. Under the Code, a third option was available that would require the passage of an ordinance in order to appoint someone to fill the position until a special election was held not less than 114 days from the effective date of the resignation. The options must be exercised within 30 days of the effective date of the resignation. If the City Council would like to add the third option, it could be agendaized for the March 29 meeting for consideration.

Motion by Petersen, seconded by Christman and unanimously carried to adjourn to Tuesday, March 29 at 5:30 p.m. to consider methods to fill the vacancy created by the resignation of Mayor Hansberger.

The meeting adjourned at 7:40 p.m. to 5:30 p.m. March 29.

Approved at the meeting of

City Clerk

City of Loma Linda

City Council Minutes

Adjourned Regular Meeting of March 29, 2005

An adjourned regular meeting of the City Council was called to order by Mayor pro tempore Petersen 5:42 p.m., Tuesday, March 29, 2005 in the Council Chamber, 25541 Barton Road, Loma Linda, California.

Councilmen Present:

Mayor pro tempore Floyd Petersen
Robert Christman
Stan Brauer
Robert Ziprick

Councilman Absent:

Mayor Gaio Hansberger

Others Present:

City Manager Dennis Halloway
City Attorney Richard E. Holdaway

Oral Reports/Public Participation

Kathy Glendrange, 26551 Beaumont Avenue, questioned the history of General Plan Density Table that was submitted to the Planning Commission. She expressed concern that in her opinion Resolution No. 1744 was misquoted in the table; that General Plan Consultant Lloyd Zola of LSA Associates deemed the resolution effective for areas outside of the Hillside Initiative Area.

Director of Community Development Woldruff responded that the table was prepared by Mr. Zola in response to requests. It was provided to those on the General Plan email distribution list and the Planning Commission, and would be explained at the Planning Commission meeting of April 6. Additional information would also be distributed. The table was in response to complaints that information was not provided in sufficient time to allow study.

Mrs. Glendrange again questioned the accuracy of the table.

Councilman Ziprick suggested that Mrs. Glendrange provide a memo outlining the areas of concern and provide it to staff.

Mrs. Woldruff responded to comments stating that the second Initiative adjusted the southern boundary of the first Initiative up area to the Fault Line; the subject resolution addressed the area below the Initiative Area to the east and to the west as well as the Sphere of Influence. The Initiative did not repeal the areas addressed by Resolution 1744.

Mayor pro tempore Petersen interjected that the item was not on the agenda; the issues raised require additional review by staff and legal counsel.

Mrs. Glendrange stated that the number of homes allowed under the current zoning was missing from the table, noting that density for the area within the County but within the City's Sphere of Influence was determined by the County.

CC-2005-036 – Council Bill #O-2005-02 – Amending Municipal Code Chapter 1.20 to provide for vacancies in the office of Member of the City Council to be filled by appointment only until a special election can be held to elect a successor

Mayor pro tempore Petersen introduced the item, and asked City Attorney Holdaway to review options available to the City Council.

City Attorney Holdaway stated that pursuant to the Government Code, two options were available to the City Council:

- 1) Appoint someone to fulfill the remainder of the term, which is three years; or
- 2) Call a special election within 30 days to be held on the next regularly established Election Day at least 114 days from the effective date of the resignation. The person elected would then fill the office for the remainder of the term, three years. No one would be serving between the effective date of the vacancy and the special election.

He elaborated that pursuant to the Government Code, the City Council had other options to consider that required adoption of an ordinance. The option submitted for consideration this evening was to appoint someone to serve until a special election was held. That special election would be consolidated with the next regularly established election date or regularly scheduled municipal election. He noted that other options available that were not commonly pursued involved:

- 1) Adoption of an ordinance that required a special election within 114 days of whenever a vacancy occurred, with no one serving during the interim or
- 2) Adoption of an ordinance requiring the call of a special election if petitions were submitted with a required number of signatures.

He reiterated that the option for consideration at this meeting was a compromise in that it provided for someone to serve temporarily and then an election to fill the remainder of the term.

In response to questions, he stated that within 30 days of the effective date of the resignation, the City Council would be required to make an appointment and call an election, specifying the date of the election. The proposed ordinance, if adopted, would take immediate effect pursuant to the Government Code.

The City Clerk responded to questions pertaining to election dates, stating that November 8, 2005 was a regularly scheduled election because it was a school district election and the Redlands Unified School District as well as the Colton Unified School District operated within the City. The City would normally consolidate with the June Primary election since that election date was authorized by the City's Municipal Code. She noted that a consolidated election would cost approximately \$6,000; a stand-alone election, approximately \$25,000.

The City Attorney clarified that if the subject ordinance was not adopted, an appointment would be required for the remainder of the term, three years, or a special election would be required. If a special election were called, the seat would remain vacant until the election results were finalized.

Discussion ensued concerning method of appointment, ballot designations relating to length of term, possibility of changing rotation of term of office of the vacant seat. The City Attorney noted that the ballot would contain a list of candidates seeking a two-year term as well as candidates seeking a four-year term.

Jonathan Zirkle, 24247 Barton Road, commented that whatever choice was made by the City Council to fill the vacant position would have implications. He noted that since the last election, the climate has changed in the City in that there was more citizen participation and awareness primarily related to development and the General Plan. Because of the climate change and the Council having anonymously approved development that raised the level of citizen attention, the Council should not approve the new General Plan or any General Plan Amendments until such time as there was a full elected Council in that there was a danger that if someone was appointed to the position, there may be a perception of mischievousness or backroom dealing. It was important that the citizens feel that their interests were being considered in relation to the General Plan and development. Actions taken by the City Council should be as transparent as possible.

Councilman Christman expressed appreciation for the efforts to fill the vacancy and his desire to either call a special election or appoint for the remainder of the term, stating that he favored appointment for a three-year term. In light of the comments made by Mr. Zirkle and recognizing the change in political sentiment, he noted that the four remaining Council Members were elected and adequately represented the feelings of the citizens and also received sufficient input to understand changes in political sentiment. He was not concerned about transparency because the Brown Act was followed and all actions were taken in public session. He then recommended that staff prepare an application form.

City Attorney Holdaway responded to questions. Extensive discussion ensued.

Mayor pro tempore Petersen favored appointment until the June 2006 election. Councilman Brauer also expressed the desire to fill the vacancy until the next election and favored one election in June of 2006 rather than having two elections six months apart. Councilman Ziprick concurred.

Motion by Brauer, seconded by Ziprick and unanimously carried to waive reading of Council Bill #O-2005-02 in its entirety, direct the Clerk to read by title only and adopt on roll call vote.

The Clerk read the title and called the roll with the following results:

Ayes:	Petersen, Christman, Brauer, Ziprick
Noes:	None
Abstain:	None
Absent:	Hansberger

Ordinance No. 633

An ordinance of the City Council of the City of Loma Linda amending Chapter 1.20 of the Loma Linda Municipal Code to provide that a Member of the City Council appointed to fill a vacancy shall hold office only until a special election can be held to elect a successor, and establishing procedures related thereto

CC-2005-037 – Closed Session – Public Employee Evaluation – City Manager (Government Code Section 54957)

The City Council recessed at 6:37 p.m. to consider the closed session item and reconvened at 7:01 with all members present except Mayor Hansberger. The City Attorney announced that the City Council conducted the evaluation of the City Manager and there was no other announcement to be made.

The meeting adjourned at 7:01 p.m.

Approved at the meeting of

City Clerk